

MESSAGE NO: 7151207 MESSAGE DATE: 05/31/2007

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-331-802

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2006 TO 01/31/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTION FOR CERTAIN FROZEN WARMWATER SHRIMP FROM ECUADOR (A-331-802) (LIQUIDATE ALL EXCEPT LISTED FIRMS)

MESSAGE NO: 7151207

DATE: 05 31 2007

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 331 - 802

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PERIOD COVERED: 02 01 2006 TO 01 31 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTION FOR CERTAIN FROZEN

WARMWATER SHRIMP FROM ECUADOR (A-331-802)

(LIQUIDATE ALL EXCEPT LISTED FIRMS)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE

COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR

CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY. CERTAIN FROZEN WARMWATER SHRIMP FROM ECUADOR (A-331-802), FOR THE PERIOD 2/01/2006-1/31/2007, LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

AGRICOLA E IND ECUA PLANTATIO

AGROL

ALBERTO XAVIER MOSQUERA ROSADO

ALQUIMIA MARINA S.A

BABYCHIC S.A.

CAMARONES

COMAR CO LTDA.

DOBLERTEL S.A.

DUNCI S.A.

EL ROSARIO ERSA S.A.

EMPACADORA BILBO BILBOSA

EMPACADORA DEL PACIFICO S.A., EDPACIF S.A.

EMPACADORA DUFER CIA. LTDA.

EMPACADORA GRAN MAR S.A. (EMPAGRAN)

EMPACADORA NACIONAL

EMPACADORA Y EXPORTADORA CALVI CIA. LTDA

EMPREDE

ESTAR C.A.

EXPORKLORE, S.A.

EXPORTADORA BANANERA NOBOA

EXPORTADORA DEL OCEANO OCEANEXA C. A.

EXPORTADORA DEL OCEANO PACIFICO OCEANPAC

FORTUMAR ECUADOR S.A.

GAMBAS DEL PACIFICO

GONDI, S.A.

HECTOROSA

INDUSTRIAL PESQUERA SANTA PRISCILA S.A.

INEPEXA S.A.

JORGE LUIS BENITEZ LOPEZ

KARPICORP S.A.
LUIS LOAIZA ALVAREZ
MARDEX CIA. LTDA.
MARINES CA.
MARISCO (EL MARISCO)
MARISCOS DE CHUPADORES CHUPAMAR
MARISCOS DEL ECUADOR C.L. MARECUADOR
NATURALSELECT S.A.
NEGOCIOS INDUSTRIALES REAL NIRSA SA.
NOVAPESCA S.A.
OCEANINVEST S.A.
OCEANMUNDO S.A.
OCEANPRO
OPERADORA Y PROCESADORA DE PRODUCTOS MARINOS S.A. (OMARSA)
OYERLY S.A.
P.C. SEAFOOD S.A.
PACFISH S.A.
PCC CONGELADOS & FRESCOS S.A..
PESCAZUL
PESLASA SA.
PHILLIPS SEAFOODS
PROCESADORA DEL RIO PRORIOSA S.A.
PRODUCTOS CULTIVADOS DEL MAR PROC.
PROMARISCO, S.A.
PROMAROSA PRODUCTOS
SOCIEDAD ATLANTICO PACIFICO
SOCIEDAD NACIONAL DE GALAPAGOS
SOITGAR
STUDMARK, S.A.
TECNICA & COMERCIO DE LA PESCA TECO
TOLYP S.A.
TRANSCITY, S.A.
TRANSMARINA C.A.
TRANSOCEAN ECUADOR
UNILINES TRANSPORT SYSTEM

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE

LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD (2/01/2006-1/31/2007) OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE (02/2006) ANNIVERSARY MONTH (72 FR 17100, 04/06/2007). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY OFFICE: O2:AB)).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party